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NEW MEXICO ENVIRONMENT DEPARTMENT

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BUTCH TONGATE
Cabinet Secretary

J. C. BORREGO
Deputy Secretary

Certified Mail – Return Receipt Requested

April 19, 2017

Mr. Klaus Klemmer, Wastewater Administrator
City of Las Cruces
680 N. Motel Blvd.
Las Cruces, NM 88007

**Re: Jacob Hands – Las Cruces Wastewater Treatment Plant; UNPERMITTED DISCHARGE;
SIC 4952; Compliance Evaluation Inspection; NPDES Permit NMNOE3171; March 21, 2017**

Dear Mr. Klaus Klemmer:

Enclosed please find a copy of the report and check list for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further, you are encouraged to notify in writing both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

NPDES Enforcement Coordinator
Environmental Protection Agency, Region 6
NPDES Enforcement Branch (6EN-WM)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Program Manager
New Mexico Environment Department
Surface Water Quality Bureau (N2050)
Point Source Regulation Section
P.O. Box 5469
Santa Fe, New Mexico 87502

Jacob Hands – Las Cruces Wastewater Treatment Plant, NPDES # NMNOE3171

April 19, 2017

Page 2 of 2

David Long is USEPA Region 6's Acting NPDES Enforcement Coordinator at the above address. If you have any questions about this inspection report, please contact Jennifer Foote at (505)827-0596 or at Jennifer.Foote@state.nm.us.

Sincerely,

/s/ Sarah Holcomb

Sarah Holcomb
Program Manager
Point Source Regulation Section
Surface Water Quality Bureau

cc: Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail
David Long, USEPA (6EN-WM) by e-mail
Robert Houston, USEPA (6EN)
Darlene Whitten-Hill, USEPA (6EN) by e-mail
Michael Kesler, NMED District III by e-mail
Lorenzo Martinez, City of Las Cruces by e-mail
Joshua Rosenblatt, City of Las Cruces by e-mail



Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspec. Type	Inspector	Fac Type
1 N 2 5 3 N M N O E 3 1 7 1 11 12 1 7 0 3 2 1 17 18 ~ 19 S 20 1					
Remarks					
S E C T O R T T R E A T M E N T W O R K S					
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67 69	70 1	71 N 72 N 73 74 75 80			

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)	Entry Time /Date 8:10 3/21/17	Permit Effective Date 6-4-2015
LAS CRUCES – JACOB HANDS WWTP I-25 South from Santa Fe, Exit #6 (US-70), Turn right onto N Main St., Turn right onto W Picacho Ave, Left onto N Motel Avenue, Right onto West Amador. DONA ANA COUNTY	Exit Time/Date 1:20pm 3/21/17	Permit Expiration Date 6-4-2020
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Lorenzo Martinez, Plant Manager / (575)528-3599 / (575) 528-3611/ lm@las-cruces.org Joshua Rosenblatt, Regulatory and Environmental Analyst / (575) 528-3704 / (575) 528-3513 / jrosenblatt@las-cruces.org Luis J. Guerra, Lab Manager / (575)528-3604 / lguerra@las-cruces.org	Other Facility Data SIC: 4952 GPS @ Outfall 001: N. 32.29134 W -106.82413	
Name, Address of Responsible Official/Title/Phone and Fax Number Mr.Klaus Klemmer, Wastewater Administrator / klemmer@las-cruces.org City of Las Cruces 680 N. Motel Blvd. Las Cruces, NM 88007	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

U	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
N	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
N	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

See attached sheets for further details.

Name(s) and Signature(s) of Inspector(s) Jennifer Foote /s/ Jennifer Foote	Agency/Office/Telephone/Fax NMED/SWQB 505-827-0596	Date 4/18/17
Signature of Management QA Reviewer Sarah Holcomb, Program Manager /s/ Sarah Holcomb	Agency/Office/Phone and Fax Numbers NMED/SWQB 505-827-2798	Date 4/17/17

City of Las Cruces – Jacob Hands Wastewater Treatment Plant
Compliance Evaluation Inspection
NPDES Permit No. NMNOE3171
March 21, 2017
Further Explanations

Introduction

On March 21, 2017, a Compliance Evaluation Inspection (CEI) was conducted by Jennifer Foote of the State of New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB) at City of Las Cruces – Jacob Hands Wastewater Treatment Plant. The purpose of this inspection was to document the facility's status regarding the National Pollutant Discharge Elimination System (NPDES) permit requirements for stormwater discharges associated with industrial activity under 40 Code of Federal Regulations (CFR) 122.26 and U.S. Environmental Protection Agency (USEPA) industrial stormwater Multi-Sector General Permit (MSGP). This facility has industrial activities being conducted on-site that meet the description of industrial activities in Sector T of the MSGP. Storm water from this facility may discharge into the Rio Grande in 20.6.4.101 NMAC of the Lower Rio Grande Basin (*State of New Mexico Standards for Interstate and Intrastate Surface Waters*). Designated uses of the Rio Grande in this section are irrigation, livestock watering, wildlife habitat, marginal warmwater aquatic life, and primary contact.

The NMED performs a certain number of inspections for the U.S. Environmental Protection Agency (USEPA), Region VI, under the NPDES permit program, in accordance with the federal Clean Water Act. USEPA uses these inspections to determine compliance with the NPDES permit program. This inspection report is based on information provided by the permittee's representatives, observations made by NMED staff, and records and reports kept by the permittee and/or NMED.

Inspection Details

Upon arrival at approximately 8:10 am on the day of the inspection, Jennifer Foote made introductions, presented credentials to Mr. Lorenzo Martinez, Plant Manager, and discussed the purpose of the inspection. The inspector toured the facility with Mr. Martinez and Mr. Joshua Rosenblatt, Regulatory and Environmental Analyst. Following the tour, an exit interview was conducted on site with Mr. Martinez, Mr. Rosenblatt, and Mr. Klaus Klemmer, Wastewater Administrator. The inspector left the facility at approximately 1:20 pm on the day of this inspection.

Findings

40 CFR 122.26(g) states: *Discharges composed entirely of storm water are not storm water discharges associated with industrial activity if there is "no exposure" of industrial materials and activities to rain, snow, snowmelt and/or runoff, and the discharger satisfies the conditions in paragraphs (g)(1) through (g)(4) of this section. "No exposure" means that all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.*

40 CFR 122.26(g)3.(iii) states: *If circumstances change and industrial materials or activities become exposed to rain, snow, snow melt, and/or runoff, the conditions for this exclusion no longer apply. In such cases, the discharge becomes subject to enforcement for un-permitted discharge. Any conditionally exempt discharger who anticipates changes in circumstances should apply for and obtain permit authorization prior to the change of circumstances.*

Though the facility has been constructed with curbs, berms, and retention ponds to prevent a discharge of stormwater from the facility, the certification of no exposure does not apply for the facility. On the day of this inspection (see photos), the site had industrial activities including outside storage and stockpiling of materials, historical spills, and material handling that could come into contact with stormwater. The facility had submitted a certification of no exposure and the facility does not have NPDES permit coverage for stormwater discharges associated with industrial activity.

**NMED/SWQB
Official Photograph Log
Photo # 1**

Photographer: J. Foote

Date: 3/21/17

Time: abt 10 am

City/County: Las Cruces/Dona Ana County

State: New Mexico

Location: Jacob Hands WWTP

Subject: magnesium hydroxide leaks exposed to stormwater



**NMED/SWQB
Official Photograph Log
Photo # 2**

Photographer: J. Foote

Date: 3/21/17

Time: abt 10 am

City/County: Las Cruces/Dona Ana County

State: New Mexico

Location: Jacob Hands WWTP

Subject: staining from past hydraulic fluid leaks from blower



**NMED/SWQB
Official Photograph Log
Photo # 3**

Photographer: J. Foote

Date: 3/21/17

Time: abt 10 am

City/County: Las Cruces/Dona Ana County

State: New Mexico

Location: Jacob Hands WWTP

Subject: belt press structure and sludge loading area exposed to stormwater



**NMED/SWQB
Official Photograph Log
Photo # 4**

Photographer: J. Foote

Date: 3/21/17

Time: abt 10 am

City/County: Las Cruces/Dona Ana County

State: New Mexico

Location: Jacob Hands WWTP

Subject: bar screen dumpster partially covered



**NMED/SWQB
Official Photograph Log
Photo # 5**

Photographer: J. Foote

Date: 3/21/17

Time: abt 10 am

City/County: Las Cruces/Dona Ana County

State: New Mexico

Location: Jacob Hands WWTP

Subject: material storage area

